

CHAPTER 38-07-06

REFUSAL, SUSPENSION, OR REVOCATION OF LICENSE

Section

38-07-06-01

Refusal, Suspension, or Revocation of License

38-07-06-01. Refusal, suspension, or revocation of license. The superintendent may refuse to issue or may suspend or revoke a license in any case where the superintendent finds the applicant or licensee has violated any one of the provisions of chapter 39-25 or the regulations herein prescribed. A suspended or revoked license must be returned to the superintendent by the licensee. The license of a commercial driver training school or instructor may be revoked, suspended, issuance refused, or a renewal refused under any of the following conditions:

1. Whenever the person commits fraud or engages in fraudulent practice with reference to the person's license application.
2. Whenever the commercial driver training school or instructor induces or countenances fraud or fraudulent practice on the part of any applicant for a driver license or instruction permit.
3. When a commercial driver training school or an instructor advertises or implies that a driver license is guaranteed upon completion of the course of instruction.
4. When instruction is given to a person who does not have a valid learner or instruction permit or driver license in their possession.
5. When a certificate of enrollment or completion is signed by an authorized school operator or instructor and information on the certificate is false.
6. When the person is convicted of a violation of a criminal law or traffic law, or both, including, but not limited to, driving a motor vehicle while under the influence of intoxicating liquor or narcotic drugs, leaving the scene of an accident, careless driving, or reckless driving.
7. When there is evidence that intoxicating beverages were present or consumed on the school premises or in its training vehicles.
8. When a student is overcharged or encouraged to continue indefinite instructions beyond the point where the student is capable of passing the driver license examination, or both.
9. Any licensed school operator or instructor whose license is subject to suspension or revocation may be required to appear before the superintendent or the superintendent's designated agent to show cause why such license should not be suspended or revoked. Any

person who has been refused issuance or renewal of a license or whose license is subject to suspension or revocation is entitled to a hearing before the superintendent as provided in North Dakota Century Code chapter 28-32.

History: Effective December 1, 1988; amended effective April 1, 1992.

General Authority: NDCC 39-25-02

Law Implemented: NDCC 39-25-06